## RECEIVED CENTRAL FAX CENTER

APR 1 3 2006

1001 Pennsylvania Avenue, NW Suite 400 South Washington DC 20004-2533 Telephone 202.416.6800 Fax 202,416,6899

**NEW YORK** LOS ANGELES BOSTON BOCA RATON NEWARK NEW ORLEANS PARIS

## PROSKAUER ROSE LLP

Date

April 13, 2006

Client-Matter

99999-070

Fax Transmittal

**Total Pages (Including Cover)** 

18

From

John P. Isacson

Sender's Voice Number

202.416.5812

Sender's Room Number

Sender's Email Address

jisacson@proskauer.com

Main Fax Number

202.416.6899

To:

U.S. Patent & Trademark Office

Fax No.:

571-273-8300

Message

#### Re: U.S. Application No. 09/936,205 (SMITH et al.)

The following correspondence is being facsimile transmitted to the United States Patent and Trademark Office on April 13, 2006.

(1) Transmittal Form (1 page)

(2) Combined Fee Transmittal (1 page)

(3) Request for Continued Examination (RCE) Transmittal (1 page)

(4) Petition for Extension of Time (1 page)

(5) Change of Correspondence Address (1 page)

(6) Amendment and Request for Reconsideration Under 37 CFR §1.114 (11 pages)

Confidentiality Note: This message is confidential and intended only for the use of the addressee(s) named above. It may contain legally privileged material. Dissemination, distribution or copying of this message, other than by such addressee(s), is strictly prohibited. If you have received this message in error, please immediately notify us by telephone and return the original to us at the address above. We will reimburse you for the cost of the telephone cell and postage. Thank you.

**CENTRAL FAX CENTER** 

# APR 1 3 2006

PTC/SB/97 (09-04)
Approved for use through 07/31/06. OMB 0851-0031
U.S. Petent and Trademark Office. U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Action of 1995, no persons are required to a collection of mi

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on April 13, 2006.

- (1) Transmittal Form (1 page)
- (2) Combined Fee Transmittal (1 page)
- (3) Request for Continued Examination (RCE) Transmittal (1 page)
- (4) Petition for Extension of Time (1 page)
- (5) Change of Correspondence Address (1 page)
- (6) Amendment and Request for Reconsideration Under 37 CFR §1.114 (11 pages)

Denise M. Mayhew Typed or printed name of person signing certificate

APR 1	3 201				PROSI TRANSMI			ROSE	. LLP	2024166899 TO 7601#62130002#15 P.03									
	E-Minellue		for	FY	2005					Applicati	ion Number		09/936,205						
•	Effective	12/00/200	J4. Potem j	/e=>	s are subjec	1 10 uni	Mua	Milon			Filing Date			October 29, 2001					
PTO/SB/	17 (12-04)	) (Revised			ent of 37 C	FR 1.1'	.7 fees i	includir	ng (1), (g),	First Nam	First Named Inventor			Richard Anthony Godwin SMITH					
Applica		ibu			& (i)) 					Examiner			A. Rooke CENTRAL FAX CE						
M Aphnen										Art Unit		<del>:</del>		1653					
	TOT	AL AMO	DUNT OF	PAY	YMENT	(S) 90	5.00			Attorney	Docket No.	). 	-	62130-00	002	A	PR 13	211	<u> </u>
		MET	THOD OF F	AY	MENT (ohec	ck one)							FEY	e calculat	поп	N (continue	(be	_	
Check			redit card		☐ Money	☐ Money Order ☐			None					CFR 1.17 (f)	۳.	و وماناه	1 days		Fee Paid
Deposit A	Account	_ [			l		_	)	!	Fee Code: § 1.53(e);			e S 404 2; § 1.1	163; § 1.37≌(e)			filed under:	- 1	
Deposit /	Account Nu	umber:	50-3081								5. PETITION FEES UNDER 37 CFR 1.17 (g)								
<u> </u>	Account Nan		Proskauer Ro	ose l	alp.					Fee Code; § 1.12; § 1	Fee Code: 1463 Fee \$ 200 For peritions filed under: § 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25								Fee Paid
The Commis	wioner is r	thorized	to: (check	~II th	ot maly)						6. PETITION FEES UNDER 37 CFR L17 (h)								Fee Paid
Charge fo				<u> </u>	ar upper				•	Fee Code:	Fee Code: 1464 Fee \$ 130 For petitions filed under: § 1.19(a); § 1.84; § 1.91; § 1.102(d); § 1.138(o); § 1.313; § 1.314								
Credit an	зу очетраут	ments and c	herge any d	eficir	encies					7. PROC	7. PROCESSING FEES UNDER 37 CFR 1.17 (I)								Fee Paid
Charge at	-	• •	•			-		4mt		Fee Code: § 1,28(c)(	Fee Code: 1808 (1803 for § 1.221) Fee \$ 130 For peritions filed under: § 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(c); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81								
					ULATION					B. OTHE		_	_		_				
1. BASIC	FILING, \$	SEARCH, /	AND EXAN	/IN/	ATION FEE	£S.			. ,	Entity Fee	Entity Fee			Fee D	· ···cr	iption			Fee Paid
<u> </u>	<del></del>					<del></del>				(5)	(5)							_	Fet + n
	<del> </del>	NG FEES		1	I PEES		AMINAT FEES	3		130	65	Surch	arge -	late filing fee	OF 08	ИÌ			
Applicatio n Type	Entity Fee	Surni) Entity	Entity Fee	ľ	Small Entity	Entity Fee	Ĭ   1	Small Entity	Fees Paid (5)	50	25	Surch	iglière -	late provisions	al fili	ing fee or c	over sheet	$\bot$	
	(\$)	Fcc (\$)		$\perp$	Pec (\$)	(2)		Fec (S)		130	130	Non-F	Englis	sh specification	_				
Utility	300	150	500	1	250	200		100		2,520	2,520			request for ex ,					
Design	200	100	100		50	130	$\prod_{-}$	65		920	920*	Reque	gaile	publication of S	SIR	prior to Exp	amizer action		
Plant	200	100	300	T	150	160	$\overline{}$	80		1,840=	1,840=	Reque	sting [	publication of	SIR	after Exami	iner action		
Reissue	300	150	500	Ţ	250	600	1	300	1100 41 4	. 120	60	Exten	aion fc	or reply within	first	month		1	
Provisional	200	100	0	$\top$	0	0	7	0		450	225	Extens	aion fo	or reply within	5000	nd month		$\neg$	
				- 5	SUBTOTAL	L (1)				1,020	510	<del> </del>		or reply within	-			$\neg$	510.00
2. EXTRA C	CLAIM FI	PFQ								1,590	795	1		or repty within			<del></del>	$\exists$	
Entity Fee (5)		entity Fee (\$	-		1	Wangi		<del></del>		2,160	1,080	<del> </del>		or reply within			····	$\forall$	
50		25	Each c		n in excess of		for Reiss	ssues, each		500	250	+	Filing a brief in support of an appeal						
200	<del></del>	100	Each I	Indep	20 and more pendent clain	m in exce	ess of 3	or, for Re	leissues, each	790	395	Piling	g a sub	omission ufter fi			7 CFR	+	
360	<del> </del>	180			nt claim mon rependent cla				ent	1,510	1,510	1.129(	(a))	institute a publi				$\dashv$	
					Fee from		•			500	250			institule a publi revive - unavoid				$\dashv$	
Total Claims		-20**	Extra Cla	S TOTAL	Above	11 - 15		Fee Pai	<u>id</u>	1,500	750	+	Petition to revive - unintentionally abandoned application						
Independ ent Claims		.3** =		x		) ] = [				50	50			fee for provision					
**or number		v paid, if gr	eater; For F	(8173)	ues see belo	<u></u>				180	180	Subm	ission	of Information	n Die	closure Sta	tement	-	<del></del>
Multiple Dep						] = [				1,000	500			oral bearing	ن	A	HUIST COLOR	$\neg$	
				- 5	SUBTOTAL	L (2)				790	395	For ea	ach ad	ditional inventi	ion t	o be exami	ned (37 CFR		<del></del>
3. APPLICA							=			790	395	_	1.129(b)) Request for Continued Examination (RCB) 395						395.00
If the specific: (\$125 for sms	ation and d	Irawings ex	ceed 100 sh	2166	of paper, the	applica	tion size	o fee due	is \$250	900	900	<del></del>		expedited exam				on	
number). See	35 U.S.C.	41(a)(1)(O	) and 37 CF	R 1.1	et mecani n	761601 (1	/oung up	o lo the a		Other fee (	(specify)_				_			Ì	-
Total		Extra			Number of	feach	Fee	$T^{-}$	Small Entity Fee		<del></del>	CHET		L (4+5+6+7+8	Ţ	905,00			
Sheets	-100 =	Sheets	/50 =	$\dashv$	additional 50 (\$)				(Š)	<u> </u>	772.				<u>"</u>	70000		_	
	-174		1 134-		SUBTOTAL	L (3)	x 250 5		x 125	Reduceu	d by Basic F	Filing re	se Parc	d .					
SUBMITTE	DBY	1100/100												Complete (If a	appli	(cable)			
Name (Print/Type)	Je	ohn P. Isac	-30TI		)				tration No.	33,715	33,715 Telephone 202-416-6800								
(Attornov/Agent)													-			т			

received

APR 13 2006 18:14 FR PROSKAUER ROSE LLP 202 347 9481 TO 7512#9**22RPPARAPHAXECENTER** COMBINED FEE TRANSMITTAL for FY 2005 09/936.205 Application Number Effective 12/08/2004. Patent feet are subject to annual revision. October 29. 2001 Filing Date Richard Anthony Godwin SMITH et al. First Named Inventor PTO/SB/17 (12-04) (Revised) (For payment of 37 CFR 1.17 fees including (f), (g), (b) , & (i)) A. Rooke Examiner Name Applicant claims small entity status. See 37 CFR 1.27 Art Unit 1653 62130-0002 Attorney Docket No. TOTAL AMOUNT OF PAYMENT (\$) 905.00 FEE CALCULATION (continued) METHOD OF PAYMENT (check one) Fee Paid 4, PETITION FEES UNDER 37 CFR 1.17 (f) ☐ None Other ☐ Money Order ☐ Credit card For peritions filed under: ☐ Check Fee Code: 1462 Fee \$ 400 § 1.53(c); § 1.57(a); § 1.182; § 1.183; § 1.378(c); § 1.741(b) Deposit Account Fee Paid 5. PETITION FEES UNDER 37 CFR 1.17 (g) Deposit Account Number: 50-3081 For peritions filed under: For Code: 1463 § 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; Proskauer Rose LLF Decesit Account Name: § 1,550(c); § 1.956; § 5.12; § 5.15; § 5.25 Fee Paid 6. PETITION FEES UNDER 37 CFR 1.17 (h) The Commissioner is authorized to: (check all that apply) For petitions filed under: Fee Code: 1464 Fee \$ 130 § 1.19(g); § 1.84; § 1.91; § 1.102(d); § 1.138(e); § 1.313; § 1.314 Charge fee(s) indicated below 7. PROCESSING FEES UNDER 37 CFR 1.17 (i) Fee Paid Credit any overpayments and charge any deficiencies Fee Code: 1808 (1803 for § 1.221) Fee \$ 130 For positions filed under: § 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(c); § 1.103(c); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § Charge any additional fee(s) during the pendency of this application Charge fee(s) indicated below, except for the filing fee to the deposit account 8. OTHER FEES FEE CALCULATION Entity Entity BASIC FILING, SEARCH, AND EXAMINATION FEES Fee Paid Fee Description (2) (5) EXAMINATION 130 65 Surcharge - late filing fee or outh FILING FEES SEARCH FEES FEE: Surcharge - late provisional filing fee or cover sheet Small Fces 50 25 Entity Kntity Small Entity Applicatio Small Paid (5) Entity Entity Fee n Type Entity Fee (\$) (5) (2) Fee (S) Fee (S) 130 130 Non-English specification (3) For filing a request for ex parte reexamination 100 2,520 2,520 200 150 500 250 Utility 300 Requesting publication of SIR prior to Examiner action 920 920 65 100 50 130 200 100 Design Requesting publication of SIR after Examiner action 1,B40\* 1,840 80 100 300 150 TAO 200 Plani 60 Extension for cepty within first month 120 300 500 250 600 300 150 Reissue 450 225 Extension for reply within second month 0 100 Provisional 200 510.00 SUBTOTAL (1) 1.020 510 Extension for reply within third month Extension for cepty within fourth month 1,590 795 EXTRA CLAIM FEES Extension for reply within fifth month Entity Fee 2.160 1.080 Fee Description Small Entity Fee (5) Each claim in excess of 20 or, for Reissues, each claim in Piling a brief in support of an appeal 500 250 excess of 20 and more than in the original patent

Each Independent claim in excess of 3 or, for Reissues, each 700 395 Filing a submission after final rejection (37 CFR 200 100 independent claim more than in the original patent 1,129(4)) Polition to institute a public use proceeding 190 Multiple dependent claim, if not already paid 1.510 1,510 360 Fee from Petition to revive - unavoidably abandoned application 250 Fee Paid Extra Claim above Petition to revive - unintentionally abandoned application Total 1,500 750 -20\*\* x Claims Independ Processing fee for provisional appls (37 CFR 1.17(q)) ናብ 50 -300 ~ Claims Submission of Information Disclosure Statement 1BD 180 \*\*or number previously paid, if greater: For Reissues see below 1,000 Request for oral hearing Multiple Dependent For each additional invention to be examined (37 CFR 395 790 SUBTOTAL (2) 1.129(b)) 395.00 105 Request for Continued Examination (RCE) 790 3. APPLICATION SIZE PEE Request for expedited examination of a design application If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 900 900 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to the a whole Other fee (specify) number). Sec 35 U.S.C. 41(a)(1)(G) and 37 CFR 1,16(s) Small SUBTOTAL (4+5+6+7+8) 905.00 **Entity Fcc** Kutra Number of each Total additional 50 Sheets Shects Reduced by Basic Filing Fee Paid × 250 ÖR x 125 -100 -750 = SUBTOTAL (J) \$ Complete (if applicable) SUBMITTED BY Registration No. 202-416-6800 Name Telephone 33,715 John P. Isacson (Attorney/Agent) (Print/Type) April 13, 2006 Darc Signature

## RECEIVED **CENTRAL FAX CENTER**

APR 1 3 2006

PTO/\$B/21 (08/03)

Approved for use through 07/31/2008. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

09/936,205 Application Number October 29, 2001 TRANSMITTAL Filing Date FORM Richard Anthony Godwin SMITH et al. First Named Inventor (to be used for all correspondence after initial filling) Art Unit. A. Rooke Examiner Name 62130-0002 Altomey Docket No. ENCLOSURES (Check all that apply) After Allowance communication to Drawing(s) Fee Transmittal Form Group Licensing-related Papers ☐ Fee Attached Appeal Communication to Board of Petition Appeals and Interferences Amendment/Response to Petition to Convert to a Provisional Appeal Communication to Group Restriction Requirement Application (Appeal Notice, Brief, Reply Brief) ☐ After Final Power of Attorney, Revocation □ Proprietary Information Change of Correspondence ☐ Affidavits/declaration(s) Status Letter Address Terminal Disclaimer Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Other Enclosure(s): Certified Copy of Priority Document(s) (1) Request for Continued Examination Transmittal Response to Missing Parts/ (2) Change of Correspondence Address Incomplete Application Response to Missing Parts under 37 (CFR) 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT John P. Isacson, Reg. No. 33,715 Firm or Individual PROSKAURE ROSE LLP Name Customer No. 91263 Signature April 13, 2006 Date CERTIFICATE OF TRANSMISSION/MAILING hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Date

Signature